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6 BANK OF AMERICA, N.A.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 FEDERAL TRADE COMMISSION,
12 Plaintiff,
13 vs.
14 INC21.COM CORPORATION, et al.,
15 Defendants.

Case No.: C 10-00022 WHA

**~~PROPOSED~~ ORDER AUTHORIZING
THE TRANSFER OF FUNDS INTO
THE COURT'S REGISTRY**

Judge: Hon. William Alsup
Complaint Date: 1/5/10

16
17 On July 22, 2010, the Court granted third party Bank of America, N.A.'s ("BofA") motion
18 for relief from the Court's May 26, 2010 Order authorizing partial release of funds from frozen
19 assets (the "Order"). Dkt. No. 145. Pursuant to the Order, BofA, the Federal Trade Commission
20 (the "FTC") and defendants Roy and John Lin (the "Lins") were instructed to submit a proposed
21 order that properly authorizes the transfer of the subject funds into the Court's registry. The
22 Parties have met and conferred, and submit the following proposed order:

23 1. Pursuant to General Order No. 31, BofA shall deposit the total sum of \$160,679.44
24 with the Treasurer of the United States in the name of the United States District Court, Northern
25 District of California (the "Account") (As of July 22, 2010, John Lin's account xxxxx-x4889
26 totals \$28,324.70, while Roy Lin's account xxxxx-x8166 totals \$128,054.50 and his account
27 xxxxx-x3560 totals \$4,300.24).

2. The funds held in the Account shall be released by the Court on a monthly basis as provided by the Court's May 26, 2010 Order Authorizing Partial Release of Funds. The Lins shall submit a proposed order authorizing the monthly release of funds. The proposed order shall be in a form substantially similar to the attached **Exhibit A**.

3. It has been agreed between and among John Lin, Roy Lin, the FTC and BofA that once BofA deposits the funds totaling \$160,679.44 into the Account, it shall be released for any claim which arises with regard to the release of the funds in connection with the Court's May 26, 2010 order affecting John Lin's and Roy Lin's individual BofA accounts.

IT IS SO ORDERED

DATED: August 2, 2010

Wm. A. Auer

HON. WILLIAM H. ALSUP
United States District Court,
Northern District of California

Exhibit A

1 Joel R. Dichter
Dichter Law LLC
2 488 Madison Avenue, 10th Flr
New York, NY 10022
3 (212)593-4202
dichter@dichterlaw.com
4 (Admitted Pro Hac Vice)

EXHIBIT A

** ATTACHED ONLY AS AN EXHIBIT **

5 Attorneys for Defendants
6 INC21.com Corporation d/b/a
INC21, INC21.net, INC21
7 Communications, Global YP,
Net Opus, Metro YP, JumPage
8 Solutions, GoFaxer.com and,
FaxFaster.com, Jumpage
9 Solutions, Inc., GST U.S.A.
Inc, Roy Yu Lin, and John
10 Yu Lin

11
12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14
15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

No. C 10-00022 WHA

17 v.

**(PROPOSED) ORDER
AUTHORIZING AND DIRECTING
RELEASE OF FUNDS FROM THE
REGISTRY OF THE COURT**

18
19 INC21.COM CORPORATION, *et al.*,

20 Defendants.

21
22 TO THE CLERK OF THE COURT:

23 On May 25, 2010 this Honorable Court issued an Order which *inter alia* permitted 1) John
24 Lin to withdraw a maximum of Eight Thousand (\$8,000.00) Dollars per month from his bank
25 account at Bank of America, bearing account number XXXX-X4889, and 2) Roy Lin to withdraw
26 a cumulative maximum of Eight Thousand (\$8,000.00) Dollars per month from his bank accounts
27 at Bank of America bearing account numbers XXXXX-08166 and XXXXX-63560, until the
28

1 funds are depleted.

2 Subsequently, Bank of America moved to be relieved from any obligations that may have
3 arisen under the Court's May 25, 2010 Order. By Order dated, July 21, 2010, this Honorable
4 Court issued an Order granting Bank of America's motion. Thus, at this time, said funds are
5 being held in the Registry of the Court in accordance with General Order No. 31; accordingly, it
6 is hereby:
7

8 **ORDERED** that the Clerk of the Court shall disburse the amount of Eight Thousand
9 (\$8,000.00) Dollars to John Lin and Eight Thousand (\$8,000.00) Dollars to Roy Lin on the first
10 business day of each month until further order of this Court, commencing August 2, 2010; and it
11 is further,
12

13 **ORDERED**, that the Clerk of the Court shall provide the Plaintiff and Defendants the
14 most recent weekly CRIS report indicating the amount being held in the Registry of the Court on
15 the first business day of each month;
16

17 **IT IS SO ORDERED.**
18

19 Dated: July ___, 2010
20

21 _____
22 WILLIAM ALSUP
23 UNITED STATES DISTRICT JUDGE
24

25 **EXHIBIT A**
26

27 **** ATTACHED ONLY AS AN EXHIBIT ****
28